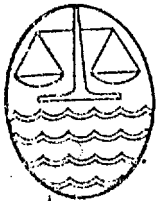




UNITED NATIONS



THIRD CONFERENCE ON THE LAW OF THE SEA

A/CONF.62/C.2/L.89

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DRAFT STATEMENT ON THE WORK OF THE SECOND COMMITTEE

Prepared by the Rapporteur of the Committee

I. INTRODUCTION

1. At its 2nd meeting on 7 December 1973, the Conference decided to establish the Second Committee as one of its three Main Committees.
2. In accordance with decisions of the Conference at its 7th meeting on 12 December 1973^{1/} and its 52nd meeting on 17 March 1975,^{2/} the officers of the Committee at the third session of the Conference, held in Geneva from 17 March to 10 May, were as follows:

Chairman: Mr. Reynaldo Galindo Pohl (El Salvador).
Vice-Chairmen: Mr. Z. Pisk (Czechoslovakia);
Mr. F.X. Njenga (Kenya);
Mr. N. Yolga (Turkey).
Rapporteur: Mr. S.L. Nandan (Fiji).

II. MANDATE OF THE COMMITTEE

3. The mandate of the Committee consists of examining the subjects and issues allocated to it by the Conference at its 15th meeting on 21 June 1974.^{3/}

III. ORGANIZATION OF WORK

4. At the 47th meeting of the Committee on 18 March 1975,^{4/} the Chairman made a statement^{5/} containing a proposal on the organization of the work of the Committee. The elements of that proposal, as approved by the Committee, were as follows:

^{1/} A/CONF.62/SR.7.

^{2/} A/CONF.62/SR.52.

^{3/} The list of items allocated to the Committee is contained in paragraph 3 of the Statement of activities of the Second Committee at the second session of the Conference (A/CONF.62/L.8/Rev.1, annex II).

^{4/} A/CONF.62/C.2/SR.47.

^{5/} A/CONF.62/C.2/L.87.

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- (1) Review of the documents produced at Caracas, on the basis of the grouping of the items decided on there, with a view to elaborating consolidated texts. In this connexion, the basic document would be document A/CONF.62/C.2/WP.1 of 15 October 1974, which is a consolidation of the documents produced by the Second Committee in informal meetings at Caracas.
 - (2) Informal consultations on the views expressed during the review of the above document. An attempt would be made to focus the process of consultation on the essential items. The Chairman and the officers, with the assistance of the Secretariat, would be authorized to carry on these consultations and would report on them to the Committee periodically.
 - (3) Encouragement of working groups already in existence or which delegations may decide to set up. In that connexion, the Secretariat would be asked to provide the necessary meeting-rooms and interpretation services.
 - (4) Invitation to delegations which have maintained differing views, set out in alternative formulas, to meet and attempt to reach compromises, and to report in due course on the results of their consultations.
 - (5) Formal meetings for the official submission of new proposals by States or groups of States or to hear progress reports on consultations.
5. At its 33rd informal meeting on 4 April 1975, the Committee decided to establish a number of informal consultative groups, in which all members of the Committee could participate. These groups dealt with the following subjects: (1) baselines; (2) historic bays and historic waters; (3) contiguous zone; (4) innocent passage; (5) high seas; (6) land-locked and geographically disadvantaged States (question of transit); (7) continental shelf; (8) exclusive economic zone; (9) straits; (10) enclosed and semi-enclosed seas; (11) islands; and (12) ...
6. The Conference, at its 55th meeting on 18 April 1975^{1/} decided that the Chairman of each of the three main Committees should prepare a single negotiating text on the subjects and issues falling within their mandates.

IV. WORK OF THE COMMITTEE

7. The Second Committee held formal meetings and informal meetings during the third session of the Conference.
8. In accordance with the agreement on the organization of its work, the Committee, at its 24th to 36th informal meetings, completed a second reading of document A/CONF.62/C.2/WP.1. The Committee examined the parts of the document in the

following order: Part I. Territorial sea (item 2); Part II. Contiguous zone (item 3); Part III. Straits used for international navigation (item 4); Part X. Archipelagos (item 16); Part IV. Continental shelf (item 5); Part V. Exclusive economic zone beyond the territorial sea; Part VI. Coastal States preferential rights or other non-exclusive jurisdiction over resources beyond the territorial sea (item 7); Part IX. Rights and interests of shelf-locked States and States with narrow shelves or short coastlines (item 10); Part VIII. Land-locked countries (item 9); Part XI. Enclosed and semi-enclosed seas (item 18); Part XIII. Régime of islands (item 19); and Part VII. High seas and transmission from the high seas (items 8 and 24).

9. At the meeting on the Chairman outlined the work of the Committee in the informal consultative groups. (summary of the statement on the work of the groups).

10. (Summary of Chairman's statement on the single negotiating text).

11. An index to the summary records of the Committee is contained in annex II.

V. DOCUMENTS BEFORE THE COMMITTEE

12. The Second Committee had before it the reports of the Committee on the Peaceful Uses of the Sea-Bed and the Ocean Floor beyond the Limits of National Jurisdiction on its work and all other relevant documentation of the General Assembly and that Committee.^{1/}

13. The Second Committee also had before it the documents submitted to it and all other documents submitted to the Conference which were relevant to the mandate of the Committee. A list of documents submitted to the Second Committee from 28 April 1975 up to May 1975 is contained in annex I.

VI. FUTURE WORK OF THE COMMITTEE

14. Upon completing a second reading of the document on Main Trends the Committee began the negotiation phase of its work, meeting, in informal consultative groups, to discuss in greater detail specific issues relating to each item before the Committee. This process will be enhanced by the presentation by the Chairman of the single negotiating text, which would form a basis for future negotiation in the Committee.

VII. PRESENTATION OF THE STATEMENT ON THE WORK OF THE SECOND COMMITTEE

15. The Rapporteur, at the meeting of the Committee on May 1975 presented this statement to the Committee.

^{1/} In adopting rule 32 of the rules of procedure, the Conference implemented paragraph 6 of resolution 3067 (XXVIII), by which the General Assembly referred those documents